



UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER 60/544,309 RECEIPT DATE JAN 26 2004

FIRST NAMED APPLICANT

ATTY. DOCKET NO./TITLE

RECEIVED  
FEB 04 2004  
TECHNOLOGY CENTER R3700

DATE MAILED:

**NOTICE TO FILE MISSING PARTS OF APPLICATION (CPA)**  
*Filing Date Granted*

The Continued Prosecution Application (CPA) request filed on 4-4-03 is entitled to a filing date under 37 CFR 1.53(d)(1). The CPA request, however, lacks the filing fee(s) and/or items indicated below.

Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file the fee(s), item(s), and any surcharge required below to avoid abandonment of this CPA. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

*The total amount owed by applicant is the sum of items 1(a) or (b), 2, and 3 (if checked) below.*

1. The statutory basic filing fee is:

- missing.  
 insufficient.

(a) Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and the \$130.00 surcharge set forth in 37 CFR 1.16(e) (non-small entity), or \$ \_\_\_\_\_ to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e) and file a small entity statement under 37 CFR 1.27 claiming such status (if the prior application was entitled to small entity status and such status is still proper and desired, a new small entity statement is not required (37 CFR 1.28)).

(b) Applicant must submit \$ 375.00 to complete the basic filing fee as a small entity and the \$65.00 surcharge set forth in 37 CFR 1.16(e).

2. Additional claim fees of

\$ \_\_\_\_\_ (non-small entity) or \$ 135.00 (small entity) for 15 independent claims over 3.  
\$ \_\_\_\_\_ (non-small entity) or \$ \_\_\_\_\_ (small entity) for \_\_\_\_\_ claims over 20.  
\$ \_\_\_\_\_ (non-small entity) or \$ \_\_\_\_\_ (small entity) for multiple dependent claim surcharge.

*Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.*

3. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).  
 4. The CPA request is unsigned. Applicant must file a signed duplicate or ratification of the CPA request.  
 5. Other: \_\_\_\_\_

**A copy of this Notice MUST be returned with the reply.**

01/30/2004 SZEWNDIE1 00000113 09448692

Direct the reply and any questions about this Notice to:

Tracie Hargrave

01 FC:2006	385.00 OP
02 FC:2051	65.00 OP
03 FC:2201	43.00 OP
04 FC:2202	180.00 OP

Examining Group 3700

(703) 305-3453



Express Mail Label No.

Dated: \_\_\_\_\_

Docket No.: 01527/000E847-US0  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Arthur ASHMAN

Application No.: 09/448,692

Confirmation No. 5329

Filed: November 24, 1999

Art Unit: 3738

For: SOFT TISSUE SUBSTITUTE AND METHOD  
OF SOFT TISSUE REFORMATION

Examiner: D. Isabella

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the **Notice to File Missing Parts of Application – Filing Date Granted** mailed December 20, 2003. Applicant submits the following:

1. Copy of Notice to File Missing Parts;
2. Basic Filing Fee for Application;
3. Surcharge under 37 C.F.R. 1.16(e) for late filing of fee and/or oath; and
4. Petition for Extension of Time (two months).

Applicant notes that the Notice specifies that the basic filing fee to be paid (small entity) is \$375.00. However, Applicant is submitting a basic small entity filing fee of \$385.00, which took effect January 1, 2004. In addition, the Notice states that additional claim fees are of \$135.00 (small

Applicant(s): Arthur ASHMAN  
Serial No.: 09/448,692  
Confirmation No.: 5329  
Group Art Unit: 3738  
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Examiner: D. Isabella

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
DATED DECEMBER 20, 2003**

Docket No.: 01527/000E847-US0

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entity) for 15 independent claims over 3. Applicant submits that the Notice was marked in error, and what should have been marked is that there were 15 total claims over 20 in the application after the preliminary amendment filed April 4, 2003. This would be consistent with the indicated \$135.00 amount based on Applicant's small entity status. However, additional claims have been added by the second preliminary amendment filed herewith.

Our check in payment for the above amounts is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: January 26, 2004

Respectfully submitted,

By   
Kevin L. Reiner

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